## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

DALE MAISANO,	)
Plaintiff,	)
	)
v.	) Case No. 3:14-mc-0039
	)
SGT. MARTINEZ et al.,	) Chief Judge Haynes
	)
Defendants.	)

## **ORDER**

Pro se Plaintiff, Dale Maisano, has filed a photocopied one-page complaint in which he states: "On 12-24-13 at 12 PM, I informed Sgt. Martinez that Medical keeps calling me up via [illegible] to Medical, I've waited up to hours and they keep telling me they don't need me, fully aware I have sun issues as well as valley fever." (ECF No. 1.) He claims he is subject to the "imminent danger exception," and he seeks damages in the amount of "Ten Trillion Dollars U.S." (Id.)

Plaintiff is barred by 28 U.S.C. § 1915(g) from proceeding *in forma pauperis*. He did not submit the \$400.00 filing fee with his complaint, and he does not plausibly allege that he is in imminent danger of serious physical injury. Moreover, the complaint is not in compliance with the Order and Restraining Order entered by Senior United States District Judge Stephen M. McNamee on August 11, 1992 in an (unsuccessful) attempt to curtail Plaintiff's voluminous frivolous filings. Among other things, Judge McNamee's order enjoins Maisano from filing any civil action in the United States District Court for the District of Arizona, or any other federal court, without first obtaining leave of the Court. *See Maisano v. Lewis*, CIV 92-1026-PHX-SMM

(MS) (D. Ariz. Aug. 11, 1992) (Order and Restraining Order).

Pursuant to the Restraining Order, any "[f]ailure to comply strictly with [its] terms . . . will be sufficient ground to deny leave to file." Id. Because Plaintiff made no attempt with his current filing to comply with the Restraining Order, the present complaint is hereby

## DISMISSED WITHOUT PREJUDICE.

An appeal of this order would not be in good faith, and the Court will not grant leave to appeal in forma pauperis.

The Clerk is **DIRECTED** to enter assign a civil action number to this case, to enter judgment and to close the case, in accordance with Rule 58, Fed. R. Civ. P.

It is so **ORDERED**.

ENTERED this the grand day of January, 2014.

Chief Judge

United States District Court